

APPEAL NO. 171054
FILED JUNE 7, 2017

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing (CCH) was held on February 8, 2017, with the record closing on March 23, 2017, in (city), Texas, with (hearing officer) presiding as hearing officer. The hearing officer resolved the disputed issues by deciding that: (1) the compensable injury does not extend to a focal foraminal disc protrusion contacting the exiting left L3 nerve root without significant impingement at L3-4, a circumferential disc bulge with superimposed left foraminal focal disc protrusion contacting the left L4 nerve root without significant impingement at L4-5, a circumferential disc bulge contacting the traversing S1 nerve roots without significant impingement at L5-S1, or chondromalacia and articular cartilage damage over the patellofemoral joints and medial femoral condyle of the bilateral knees; (2) the appellant (claimant) reached maximum medical improvement (MMI) on April 5, 2016; (3) the claimant's impairment rating (IR) is zero percent; and (4) the claimant does not have disability from March 12, 2016, and continuing through the date of the CCH.

The claimant appealed all of the hearing officer's determinations, contending that the evidence does not support those determinations. The respondent (carrier) responded, urging affirmance of the hearing officer's determinations.

DECISION

Affirmed as reformed.

The parties stipulated in part that the claimant sustained a compensable injury on (date of injury). The claimant testified she was injured when she slipped on a wet floor and fell to the ground.

STIPULATION CORRECTION

The parties stipulated at the CCH that the claimant sustained a compensable injury on (date of injury), at least in the form of a lumbar strain, a left hip strain, a left arm strain, and bilateral knee strains. However, the stipulation contained in Finding of Fact No. 1.D. omits the lumbar strain from the conditions stipulated to by the parties at the CCH. We reform Finding of Fact No. 1.D. to correctly reflect the conditions as stipulated by the parties at the CCH as follows:

On (date of injury), the claimant sustained a compensable injury, at least in the form of a lumbar strain, left hip strain, left arm strain, and bilateral knee strains.

EXTENT OF INJURY

The hearing officer's determination that the compensable injury does not extend to a focal foraminal disc protrusion contacting the exiting left L3 nerve root without significant impingement at L3-4, a circumferential disc bulge with superimposed left foraminal focal disc protrusion contacting the left L4 nerve root without significant impingement at L4-5, a circumferential disc bulge contacting the traversing S1 nerve roots without significant impingement at L5-S1, or chondromalacia and articular cartilage damage over the patellofemoral joints and medial femoral condyle of the bilateral knees is supported by sufficient evidence and is affirmed.

MMI

The hearing officer's determination that the claimant reached MMI on April 5, 2016, is supported by sufficient evidence and is affirmed.

IR

The hearing officer's determination that the claimant's IR is zero percent is supported by sufficient evidence and is affirmed.

DISABILITY

The hearing officer's determination that the claimant did not have disability from March 12, 2016, and continuing through the date of the CCH is supported by sufficient evidence and is affirmed.

SUMMARY

We affirm the hearing officer's determination that the compensable injury does not extend to a focal foraminal disc protrusion contacting the exiting left L3 nerve root without significant impingement at L3-4, a circumferential disc bulge with superimposed left foraminal focal disc protrusion contacting the left L4 nerve root without significant impingement at L4-5, a circumferential disc bulge contacting the traversing S1 nerve roots without significant impingement at L5-S1, or chondromalacia and articular cartilage damage over the patellofemoral joints and medial femoral condyle of the bilateral knees.

We affirm the hearing officer's determination that the claimant reached MMI on April 5, 2016.

We affirm the hearing officer's determination that the claimant's IR is zero percent.

We affirm the hearing officer's determination that the claimant did not have disability from March 12, 2016, and continuing through the date of the CCH.

We reform Finding of Fact No. 1.D. to correctly reflect the conditions as stipulated by the parties at the CCH as follows:

On (date of injury), the claimant sustained a compensable injury, at least in the form of a lumbar strain, left hip strain, left arm strain, and bilateral knee strains.

The true corporate name of the insurance carrier is **NEW HAMPSHIRE INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY
211 EAST 7TH STREET, SUITE 620
AUSTIN, TEXAS 78701-3218.**

Carisa Space-Beam
Appeals Judge

CONCUR:

K. Eugene Kraft
Appeals Judge

Margaret L. Turner
Appeals Judge